

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TOWAKI KOMATSU, :
Plaintiff, :
: 18 Civ. 3698 (LGS)
-against- :
: ORDER
THE CITY OF NEW YORK, et al., :
Defendants. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on August 10, 2020, an Order (Dkt. 418) was issued denying reconsideration of this Court's Orders issued on March 1, 2019 (Dkt. 118), September 30, 2019 (Dkt. 239), and of Judge Gorenstein's Order issued on July 28, 2020 (Dkt. 405);

WHEREAS, on August 9, 2020, Plaintiff filed a letter (Dkt. 417) that provided further objections to Judge Gorenstein's July 28, 2020, Order (Dkt. 405);

WHEREAS, on August 12, 2020, Plaintiff filed a letter (Dkt. 420) seeking reconsideration of this Court's orders issued on March, 1, 2019, denying Plaintiff's motion to amend the complaint (Dkt 118), on September 30, 2019, granting in part Defendants' motion to dismiss (Dkt. 239) and on August 10, 2020, denying Plaintiff's prior motions for reconsideration (Dkt. 418);

WHEREAS on August 19, 2020, Plaintiff filed a letter (Dkt. 421) again requesting reconsideration of the Orders at Dkts. 118, 239 and 418 because of a video of remarks made by New York Chief Judge Janet DiFiore about security in New York courthouses;

WHEREAS on August 28, 2020, Plaintiff filed a letter (Dkt. 422) again requesting reconsideration of the Orders at Dkts. 118 and 239 because of reports obtained after a Freedom of Information Law request;

WHEREAS on August 30, 2020, Plaintiff filed a letter (Dkt. 423) again requesting reconsideration of the Orders at Dkts. 118, 239 and 418;

WHEREAS, “[a] motion for reconsideration should be granted only when the [movant] identifies an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Trust*, 729 F.3d 99, 104 (2d Cir. 2013) (quoting *Virgin Atlantic Airways, Ltd. v. Nat'l Mediation Bd.*, 956 F.2d 1245, 1255 (2d Cir. 1992)) (internal quotation marks omitted). The standard for granting a motion for reconsideration is “strict, and reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked.” *Analytical Surveys, Inc. v. Tonga Partners, L.P.*, 684 F.3d 36, 52 (2d Cir. 2012) (quoting *Shrader v. CSX Transp., Inc.*, 70 F.3d 255, 257 (2d Cir. 1995)) (internal quotation marks omitted); it is hereby

ORDERED that, for substantially the same reasons provided in the August 10, 2020 Order (Dkt. 418), the requests for reconsideration of the Orders at Dkts. 118 and 239 and of Judge Gorenstein’s Order at Dkt. 405 are DENIED. It is further

ORDERED that, because the letters at Dkts. 420, 421 and 423 do not identify an intervening change of controlling law, new evidence, or the need to correct a clear error or prevent manifest injustice, the requests for reconsideration of the Order at Dkt. 418 are DENIED.

The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff.

Dated: September 10, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE